

REMARKS / ARGUMENTS

A. Generally

Claims 1 and 3-35 remain in the Application. The limitations of claim 2 have been incorporated into claim 1 (as amended). Claim 2 has been canceled.

Claims 3-21 have been amended to correct typographical and numbering informalities.

New claims 22 and 25-31 depend from claim 20 and recite the limitations of claims 3-11. New claims 23-24 and 32-35 add additional limitations directed to the cache appliance recited in claims 22, 3, and 12.

No new matter has been added.

B. Claim Objections

Claims 12-19 were objected to under 37 C.F.R. 1.75(c) as being of improper dependent form. Method claims 12-19 erroneously depended from claim 10, which is a system claim. Claims 12-19 have been amended to depend from independent method claim 11, thereby rendering this objection moot.

The numbering of Claims 1-21 was also objected to. Applicant has renumbered the claims as requested by the examiner.

Claims 11 and 20 have been amended to remove an extraneous "and" from the recitation of limitations.

C. CLAIM REJECTIONS - 35 USC §102

Claim 1 has been rejected under 35 USC §102(e) as being unpatentable over U.S. Patent Application Publication 2001/0030970 filed by Wiryaman et al. Claim 1, as amended, incorporates the limitations of claim 2. Claim 1, as amend, recites limitations not disclosed or taught by Wiryaman. Wiryaman does not, therefore, teach or disclose all of the limitations of claim 1, as amended and does not, therefore anticipate claim 1, as amended. Claims 3-10 have been amended to depend, directly or indirectly, from claim 1, as amended. Claims 3-10 recite limitations not taught or disclosed by Wiryaman and are not, therefore, anticipated by Wiryaman.

D. ALLOWABLE SUBJECT MATTER

Claims 11, 20 and 21 were allowed by the examiner.

Claims 2-10 and claims 12-19 were objected to as being dependent upon a rejected base

claim. The examiner found that these claims would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Applicant has amended claim 1 by incorporating the limitations of claim 2. Applicant has canceled claim 2. Claims 3-10 have been amended to depend from claim 1, as amended, thereby incorporating all of the limitations of claim 1, as amended, into those claims.

Claims 12-19 have been amended to depend from claim 11, thereby incorporating all of the limitations of claim 11, as amended, into those claims.

Applicant submits that claims 1 and 3-21, as amended, and claims 22-35 are allowable in their current form.

E. CONCLUSION

Applicant respectfully requests reconsideration of the current rejection of the claims now pending in this application in view of the above amendments, remarks and arguments. Should any further questions arise concerning this application or in the event the above amendments do not place the application in condition for allowance, applicant respectfully requests a telephone interview. Attorney for the applicant may be reached at the number listed below.

Respectfully Submitted,

By 

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